



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

AGENDA

Monday, April 27, 2009

Commissioner Deidre Malone, Chairman
Commissioner Joyce Avery, Chairman Pro Tempore
Commissioner Henri E. Brooks
Commissioner Wyatt Bunker
Commissioner Mike Carpenter
Commissioner Sidney Chism
Commissioner George Flinn

Commissioner Joe Ford
Commissioner J.W. Gibson II
Commissioner James Harvey
Commissioner Matt Kuhn
Commissioner Steve Mulroy
Commissioner Mike Ritz

4/27/2009 9:37 AM

1:30 PM

COMMISSION CONVENES

CALL TO ORDER

Chairman Deidre Malone

OPENING OF THE COMMISSION

Deputy Sheriff

INVOCATION

Reverend Al McCaster
New Vine Missionary Baptist Church

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Session
March 2, 2009

CONSENT AGENDA

Resolutions of Memorial, Sympathy and Commendation

1. [Resolution declaring April 26 through May 2, 2009 to be Crime Victims' Rights Week in Shelby County. Sponsored by Commissioner George Flinn.](#)

Ordinances

CHISM

Chairman, Law
Enforcement
Committee

2. [ORDINANCE - SECOND READING - An Ordinance by the Shelby County Board of Commissioners amending the Shelby County Fire Code, as adopted by the Shelby County Board of Commissioners in Ordinance # 251 on September 10, 2001, so as to make certain changes as hereinafter set out and establish an effective date therefore. Ordinance sponsored by Commissioner Chism. \(AMENDED IN COMMITTEE 4/22/09 AND DEFERRED TO 5/11/09\)](#)

FORD

Chairman, General
Government
Committee

3. [ORDINANCE - SECOND READING - An Ordinance to amend the Shelby County Code of Ordinances, Chapter 12.5, Article II, Sections 12.5-51 to 12.5-63, entitled "Code of Ethics." Sponsored by Commissioner Mike Ritz.](#)

FORD

Chairman, General
Government
Committee

4. [ORDINANCE - SECOND READING - An Ordinance to amend the Shelby County Code of Ordinances, Chapter 12, Article II, Section 12-26 to 12-66 relative to the regulation of the Civil Service Merit System. Sponsored by Commissioner Mike Carpenter. \(DEFERRED TO 5/11/09\)](#)

FORD

Chairman, General
Government
Committee

5. [ORDINANCE - SECOND READING - An ordinance to amend the Shelby County Code of Ordinances by enacting a new prevailing wage ordinance that requires compliance with prevailing wages and benefits and provides for a means of enforcement, penalties, and sanctions for violations. Sponsored by Commissioner Steve Mulroy. \(AMENDED IN COMMITTEE 4/22/09\)](#)

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

BUNKER

Chairman, Public
Works Committee

6. Resolution to amend the General Fund Budget for the fiscal 2009 to provide for the costs of facility renovations for the Shelby County Credit Union in the amount of \$176,221.85 and the payment by the Credit Union for these costs in the amount of \$176,221.85. Sponsored by Commissioner Wyatt Bunker.

AVERY

Chairman, Hospitals
and Health Committee

7. A resolution approving an amendment to the FY2008-2009 operating budget of the Lead-Based Paint Hazard Reduction grant program funded by the City of Memphis Division of Housing and Community Development, establishing the budget in the amount of \$52,465.00 for the purpose of reducing lead-based paint hazards in single and multi-family rental units and an amendment to the FY2008-2009 position control budget and the appropriation of said funds. This item requires the expenditure of Federal through City Grant funds in the amount of \$52,465.00. Resolution sponsored by Commissioner Joyce Avery.

AVERY

Chairman, Hospitals
and Health Committee

8. A resolution approving an amendment to the FY2008-2009 operating budget of the Medical Reserve Corps grant program establishing the budget in the amount of \$5,000.00 to build the capacity of the local Medical Reserve Corps unit and the appropriation of said funds. This item requires the expenditure of Federal Grant funds through the National Association of County and City Health Officials in the amount of \$5,000.00. Resolution sponsored by Commissioner Joyce Avery.

HARVEY

Chairman, Economic
Development
Committee

9. Resolution requesting the Shelby County Health, Education and Housing Facility Board, the Memphis and Shelby County Center City Revenue Finance Corporation, and the Memphis and Shelby County Industrial Development Board to adopt policy changes relative to the granting of economic development and requesting the Memphis City Council adopt a resolution to effectuate same as it relates to joint City-County boards. Sponsored by Commissioner Mike Ritz. (DEFERRED TO 5/11/09)

KUHN

Chairman, Delinquent
Tax Property
Committee

10. Resolution approving the sale of six (6) county owned Delinquent Tax Parcels, acquired from Shelby County Trustee Tax Sale Nos. 0005, 98.2, 0206, 0403, and 0404, to identified purchasers at various prices collectively totaling \$8,000.00, pursuant to the sale provisions of T.C.A. §67-5-2507 and authorizing the Shelby County Mayor to execute Quit Claim Deeds. Sponsored By Commissioner Matt Kuhn.

KUHN

Chairman, Delinquent
Tax Property
Committee

11. Resolution approving the sale of seven (7) county owned Delinquent Tax Parcels, acquired from Shelby County Trustee Tax Sale Nos. 0203, 0205, 0305, 0306, and 0404, to identified purchasers at various prices collectively totaling \$28,500.00, pursuant to the sale provisions of T.C.A. §67-5-2507 and authorizing the Shelby County Mayor to execute Quit Claim Deeds. Sponsored By Commissioner Matt Kuhn

KUHN

Chairman, Delinquent
Tax Property
Committee

12. Resolution approving the sale of fourteen (14) county owned Delinquent Tax Parcels, acquired from Shelby County Trustee Tax Sale Nos. 0103, 0202, 0203, 0303, 0305, 0403, and 0404 to identified purchasers at various prices collectively totaling \$57,100.00, pursuant to the sale provisions of T.C.A. §67-5-2507 and authorizing the Shelby County Mayor to execute Quit Claim Deeds. Sponsored by Commissioner Matt Kuhn.

REGULAR AGENDA

Elections, Appointments, and Confirmations

FORD

Chairman, General
Government
Committee

13. [Resolution approving the County Mayor's nomination of the Honorable John Fowlkes for appointment to the Shelby County Public Records Commission. Sponsored by Commissioner Joe Ford.](#)

Ordinances

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

GIBSON

Chairman, Budget and
Finance Committee

14. [Resolution requiring the layoff of 100 General Fund employees on or before June 30, 2009 in accordance with the Civil Service Merit Act's layoff procedures. Sponsored by Commissioner J. W. Gibson. \(DEFERRED TO 5/11/09\)](#)

AVERY

Chairman, Hospitals
and Health Committee

15. [A resolution approving an amendment to the FY2008-2009 operating budget for the Health Department, establishing a grant budget in the amount of \\$149,600.00 for the provision of a Fetal Infant Mortality Review program and an amendment to the FY2008-2009 position control budget and the appropriation of said funds. This item requires the expenditure of State Grant funds in the amount of \\$149,600.00. Resolution sponsored by Commissioner Joyce Avery.](#)

AVERY

Chairman, Hospitals
and Health Committee

16. [A resolution amending a contract with Vehicle Maintenance Program, Inc by increasing the contract price from \\$92,972.50 to \\$150,000.00 for the FY 2008-2009 renewal period for the provision of child safety seats to be distributed by the Memphis and Shelby County Health Department, amending the FY2008-2009 operating budget of the City Court Child Safety Seat Fund accordingly, appropriating \\$57,027.50 for said purpose, and approving said increase for the FY2009-2010 renewal period. This item requires an additional expenditure of funds in the amount of \\$57,027.50. Sponsored by Commissioner Joyce Avery.](#)

BROOKS

Chairman, Education
Committee

17. Resolution endorsing the concept of retroactive granting of diplomas to high school students who have been denied diplomas due solely to failing the Gateway examination and directing staff to invite the City and County School Boards to provide feedback on this issue. Sponsored by Commissioner Steve Mulroy. (ADD-ON IN COMMITTEE 4/22/09)

BROOKS

Chairman, Education
Committee

18. Resolution requesting the County Mayor's Administration to include funding for the Southeast Shelby County Library in the County's operating Budget through FY 2012, and to take all necessary action to effectuate same. Sponsored by Commissioner Joe Ford. (ADD-ON IN COMMITTEE 4/22/09)

MULROY

Chairman, Core City
Committee

19. Resolution approving a complaint against mortgage lending institutions who have participated in unlawful, irresponsible, unfair, deceptive, and discriminatory lending practices as required by a resolution adopted as item no. 25 on December 22, 2008; and authorizing the County Mayor to engage outside counsel on a contingency fee basis, to engage a non-profit organization that provides legal services, and to provide in-kind services to, and pay a portion of the reasonable fees, costs and expenses incurred by, said not-profit organization if necessary. Sponsored by Commissioner J. W. Gibson, II. (DEFERRED TO 5/11/09)

Announcements/Statements

20. Notification from County Mayor of appointments/reappointments to various Boards, Commissions, and offices of Shelby County Government. a) Resolution approving the County Mayor's nomination of Charles A. Wood for reappointment to the Municipal Solid Waste Region Board. Sponsored by Commissioner Joe Ford. b) Resolution approving the County Mayor's nomination of Pearl Lurry, Vance Miller and Lafrederick Self for reappointment to the Shelby County Work Release Board. Sponsored by Commissioner Joe Ford.

Adjournment

- 21. Resolution of adjournment to Monday, May 11, 2009 at 1:30 p.m.**